



# MARIPOSA PLANNING

## COUNTY OF MARIPOSA

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Sarah Williams, Director

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May 28, 2013

California State Department of Housing and Community Development

PO Box 952053

Sacramento, CA 94252-2053

Re: 2013 General Plan Annual Report

Greetings,

Enclosed is the approved 2013 Mariposa County General Plan Annual Report. This is Annual Report is being submitted to the Department of Housing and Community Development in accordance with California State Government Code Section 65400(a)(2).

This 2013 Annual report was reviewed and considered by the Planning Commission and the Mariposa County Board of Supervisors at public workshops and meetings. The enclosed Annual Report was approved by the Mariposa County Board of Supervisors on May 21, 2013 with adoption of Board of Supervisor Resolution 13-201, which is included as Attachment 3 in the Annual Report.

Also enclosed is the Annual Housing Element Progress Report for the 2012 calendar year, also reviewed by the Board of Supervisors on May 21, 2013 as part of the General Plan Annual Report.

Should you have any questions on the Report, please contact Larry Enrico, Senior Planner, in this Department.

Sincerely,

Sarah Williams  
Planning Director  
Mariposa County

CRR

Housing Policy Department  
Received on:  
MAY 31 2013





# MARIPOSA PLANNING

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## 2013 ANNUAL REPORT ON THE MARIPOSA COUNTY GENERAL PLAN

### *1. Introduction and Background*

This report is prepared pursuant to Government Code Section 65400 and the adopted Mariposa County General Plan that requires a report be prepared each year regarding the General Plan. The Governor's Office of Planning and Research provides guidance in terms of preparing the report. The annual report is reviewed by the Planning Commission and approved by the Board of Supervisors at a public hearing. Following consideration by the Planning Commission and action by the Board of Supervisors, the General Plan Annual Report is submitted to the Office of Planning and Research and the Department of Housing and Community Development.

This 2013 Annual Report contains a review of the General Plan policies, programs and implementation measures that were addressed during the 2012 calendar year. It also describes planning activities that are in process or anticipated in 2013 through 2017 (the short-term planning horizon) and subsequent years to achieve full consistency between General Plan policies and County development regulations. Included with the annual report is a proposed schedule for the consideration of General Plan Amendments during the remainder of 2013 (Attachment 5, Exhibit A).

The Mariposa County General Plan was adopted by the Board of Supervisors on December 18, 2006. The underlying goals and policies of the General Plan were developed during a six-year-long public planning process featuring community workshops, preliminary drafts of policy documents, planning fairs, focused working sessions, public outreach efforts, revised drafts, and a final round of public hearings. An accompanying programmatic Environmental Impact Report (EIR) for the General Plan was prepared, revised and circulated twice. The adopted General Plan and EIR mitigation measures have been in effect since the beginning of 2007. Printed, electronic and on-line access to the adopted General Plan has been available to the public since January, 2007.

The General Plan replaced a previous General Plan that had been in effect for the preceding 25 years. That document, along with four Town Specific Plans adopted during the

1980's, established a prescriptive, zoning-based framework for land use and development decisions in Mariposa County between 1981 and 2006. The General Plan is a broadly-based policy document consisting of sixteen elements, with goals, standards and implementation measures designed to shape the future growth and development of Mariposa County, while preserving and enhancing the rural character of the County's natural resources and small communities. The General Plan, like any strategic or policy guidance document, may be reviewed and updated on a regular basis. It is not intended to remain static over a 20-year planning period. Rather, it should evolve over time as a seamless, internally consistent structure of goals and objectives, with portions of the plan always being implemented, others being updated, and older portions being amended or replaced as appropriate. Changes to the mandated General Plan elements may be made as many as four times each year. A major assessment and accompanying revisions to the General Plan should occur every five years. A work program to begin the 5 year update to the General Plan is tentatively scheduled to occur later in 2013.

The General Plan consists of four volumes, as follows:

- Volume I --- The 16 Chapters of the General Plan, containing basic County information, issue statements and guiding principles, along with land use, natural resources and service delivery policies and provisions. There are also Appendices, with a Glossary of planning terms and a list of matters for future consideration. Volume I includes a Countywide generalized map, referred to as the Land Use Diagram.
- Volume II --- The location for the adopted Area Plans that provide specific guidelines and requirements that apply to Mariposa County's towns, small communities and special planning areas. Eventually this section will contain 16 completed geographic area plans and maps, each prepared by an advisory committee of local residents appointed for that purpose, reviewed by the Planning Commission, and subsequently adopted by the Board of Supervisors.
- Volume III --- Known as Technical Background Reports, this section contains detailed descriptions and underlying data about the County, its communities, local history, public services, and natural resources and characteristics. This database of background information was used to document and support the preparation of the General Plan.
- Volume IV --- The programmatic Environmental Impact Report (EIR) prepared simultaneously with the goals and policies of the General Plan. This volume serves as the environmental foundation for land use planning and development decisions and findings during the lifetime of the General Plan. A number of implementation measures were incorporated into the General Plan in order to comply with the analysis and CEQA findings of the General Plan EIR. These measures are cited in the Mitigation Monitoring Plan (MMP) of the final EIR.

## ***2. Amendments to the General Plan Made in 2012***

Mariposa County established a schedule of dates in 2012 at which amendments to the General Plan could be considered. There were several amendments made to the General Plan Land Use Diagram in 2012.

**General Plan Amendment No 2008-063 adopting the Catheys Valley Community Plan.**

Preparation of the Catheys Valley Community Plan (CVCP) began in 2000. This Area Plan, which meets the definition of a community plan, was delayed for several years due to a need for completion of the General Plan. The General Plan was completed in 2006. A planning consultant, Hauge Brueck Associates, was engaged by the County in 2007 to revise the prior documents for consistency with the General Plan and to prepare the final draft CVCP and CEQA environmental documents.

In March 2012, an amended Draft Supplemental EIR for the Catheys Valley Community Plan March 14, 2011 (Board of Supervisors Version) was made available for public review. An Addendum to the Draft Supplemental EIR was issued in April 2012. In April 2012, a Planning Commission public hearing was conducted on amendments to the Catheys Valley Community Plan. A Board of Supervisors public hearing was conducted on June 19, 2012 and continued to June 20, 2012 and July 10, 2012. Following a failed motion to approve the plan as presented, the Board of Supervisors directed staff to make further amendments to the Plan.

On December 4, 2012, the Board of Supervisors conducted a public hearing and certified the Final Supplemental EIR, approved General Plan amendments (for internal consistency purposes) and approved the Catheys Valley Community Plan (December 2012 version).

**General Plan Amendment No 2011-001 updating the Wawona Town Planning Area Specific Plan.**

The Wawona Specific Plan land uses, standards, regulations and policies were updated to reflect changes in County, State, and National Park Services policies and regulations that have occurred since 1987. The Wawona Specific Plan Update was also to incorporate the necessary components of a specific plan as required by Government Code Sections 65450–65457, Specific Plan Statutes, which were not in the 1987 Specific Plan. The Wawona Specific Plan Update presents an integrated, consistent, and compatible statement of policies for the County of Mariposa following direction established by the Board of Supervisors and the Wawona community. Every project within the Wawona TPA is subject to review against the measures in the Wawona Specific Plan Update. The resolution approving the Wawona Specific Plan Update was adopted by the Board of Supervisors on January 17, 2012.

**General Plan/Zoning Amendment 2011-068 bringing the Housing Element into compliance with State Law.**

Amendments were made to Title 17, Zoning of the Mariposa County Code, and to the Mariposa Town Planning Area Town Plan that implemented Programs 8.2 and 8.3 of the General Plan Housing Element, and brought Title 17, Zoning, of the Mariposa County Code into compliance with State law. The amendments added definitions and established regulations and standards regarding emergency shelters as a permitted use in the General Commercial Land Use of the Mariposa Town Planning Area Town Plan. The amendments also added definitions and clarified that transitional housing and supportive housing is only subject to the same regulations as a residential use in the same zone. The amendments also made Title 17, Zoning, and the Mariposa Town Plan, internally consistent, and in compliance with the State Community Care Act and the Housing Element Guidelines. The Amendment was adopted on July 10, 2012.

**General Plan Amendment No. 2012-025, Text Amendment adding the General Forest Zone as a Consistent Zone in the Residential Land Use of the General Plan.**

The Residential Land Use in part states “Residential land uses include single-family dwellings, vacation homes, and agriculture. Typical accessory uses are related to personal recreation, home-based business activities, other uses related to agriculture, and uses consistent with rural character.” After evaluation of the intent, and the permitted/conditional uses in the General Forest Zone, it was determined that the General Forest Zone would be consistent with the Residential Land Use Classification. This amendment was approved November 13, 2012.

**General Plan Amendment No. 2012-098, General Plan Amendment clarifying criteria to apply to application to “transfer of lands” within the Agriculture/Working Landscape Land Use.**

The amendment was initiated by the Mariposa County Planning Commission. The amendment clarifies that a General Plan Map Amendment proposing a “transfer of land” within the Agriculture/Working Landscape pursuant to Goal 10-2, Policy 10-2a, and Implementation Measure 10-2a(4) shall not be subject to the other specific General Plan sections established for land use classifications (“Criteria for New Lands to be Included,” and “Criteria for Lands Proposed to be Removed”), including the Agriculture/Working Landscape Land Use Classification. The Amendment was approved on November 13, 2012.

**General Plan Amendment 2012-100, Adopting Criteria for the Transfer of Lands within the Agriculture/Working Landscape Land Use of the General Plan.**

The Amendment was needed based upon Goal 10-2 of the General Plan to avoid loss of agriculture lands in the Agriculture/Working Landscape land use classification to maintain rural character. *Implementation Measure 10-2a(4)* further requires that the County adopt criteria for transfers of lands within the Agriculture/Working Landscape land use designation for lands within other land use designations which result in no net loss of like kind of agriculture lands (type and quality) and that demonstrate a benefit to agriculture lands. The Agricultural Advisory Committee and the Planning Commission spent considerable time reviewing the General Plan goal, policy and implementation measure and public comments; and evaluating the Agricultural Advisory Committee’s draft criteria. The Amendment was adopted on July 10, 2012.

**General Plan Amendment No. 2012-108, Land Use Amendment to exchange acreage between the General Plan Land Use designations of Residential and Agriculture/Working Landscape.**

The General Plan/Zoning Amendment was an equal acreage exchange (34.69+/- acres) within a 141.96 acre parcel between the General Plan Land Use designations of Residential and Agriculture/Working Landscape and the zoning classifications of Mountain Home and Agriculture Exclusive. The Amendment was evaluated based upon the goals, policies and implementation measures of the General Plan. The Amendment was also determined to be consistent with the Criteria for the Transfer of Lands within the Agriculture/Working Landscape Land Use of the General Plan (GPA No. 2012-100). The Amendment was adopted on November 13, 2012.

### ***3. General Plan Implementation***

A fundamental purpose of the General Plan Annual Report is to assess progress that has been made, as well as steps that are being taken, to accomplish the goals and objectives of the General Plan. Implementation of the General Plan may occur through any of the following categories of actions:

- Addressing and completing specific Implementation Measures as listed in the various Chapters of the General Plan;
- Preparing and adopting new County programs, regulations and ordinances that carry out the policies and provisions of the General Plan;
- Amending pre-existing County regulations, resolutions and ordinances that are not consistent with the current General Plan. Title 16 (the subdivision regulations) and Title 17 (the zoning code) are two sections of the County Code frequently recognized as requiring changes and updates to achieve consistency with the General Plan;
- Preparing and adopting new Area Plans (or expanding existing town planning areas) to better serve the Mariposa County communities listed in Table 5-1 of the General Plan. (See the Area Plan Status table in Attachment 1 of this report);
- Considering public and private amendments to the General Plan on a regularly scheduled, publicly noticed basis.

Mariposa County, like other California local jurisdictions, must be able to demonstrate that it is making reasonable progress toward bringing its regulations, ordinances, plans and programs into compliance with the provisions of its adopted General Plan. Discretionary land use decisions must also be based upon findings of conformance with the General Plan.

Complete consistency of land use regulations with the General Plan necessarily occurs over a period of many years. Progress in any year depends upon County priorities, resources allocated, the availability of experienced staff, extent of community interest and involvement, and the complexity of the implementation tasks.

The General Plan itself identifies a multiple-year timeline for accomplishing completion and full implementation of the measures in the General Plan. The plan's original 20-year planning horizon is segregated into three general time frames: the short-term planning period (years 1 to 5); the intermediate-term planning period (years 6 to 10); and the long-term planning period (years 11 to 20.) Depending on their relative priorities, implementation measures proceed along an orderly path, from longer term to nearer term to completion. The Board of Supervisors, in its adoption of the General Plan on December 18, 2006, approved a Mitigation Monitoring and Reporting Program (MMP) which establishes a temporal framework for addressing the County's responsibilities under California law for implementation of the General Plan. Within this broad, 20-year time frame for dealing with all mitigation measures and programs, it is the immediate or short-term planning priorities with which the Annual Report is most concerned.

#### ***4. Title 17, Zoning Amendments for General Plan Implementation and Consistency***

Provisions of Title 17, the Zoning Ordinance of the Mariposa County Code, need revisions and amendments in order to incorporate the standards and criteria called for in the General Plan. Although revisions for the zoning standards dealing with roads and agriculture (completed) have been given the highest priority for the last several years, additional amendments will be addressed in 2013, as resources and staff workloads allow more the opportunity for these projects to proceed.

Title 17, Zoning, was amended in 2012 to allow homeless shelters as a permitted use in the General Commercial Zone of the Mariposa Town Planning Area. In addition, provisions were added to Title 17 with respect to the treatment of Transitional Housing and Supportive Housing as a residential use in the zones where residential uses are permitted.

On January 24, 2012, the Board of Supervisors approved a Zoning Amendment, No. 2010-162 for the Bison Creek Ranch. This project, a zoning map amendment, which was an applicant submitted amendment, made the zoning for the project parcel consistent with the Mariposa County Williamson Act policies, and the applicable contract for the ranch.

## ***5. General Plan Implementation Priorities in Progress (2013)***

### **A. 5 YEAR SCHEDULE (2013 – 2017)**

The General Plan is the overall policy document that expresses the desired balance within Mariposa County consisting of preservation of the County's historic rural character, a thriving local economy, protection of natural resources and the environment, safe and affordable housing, and high quality public services. The General Plan directs the future development of the County through an interlinked set of goals, policies and implementation measures. The implementation measures, a number of which were adopted in the Environmental Impact Report, Volume IV, establish a flexible framework through which the General Plan goals and policies are accomplished over time. The implementation measures, as adopted in the General Plan, organize the 20-year planning horizon of the plan into three planning periods: short-term (first five years); intermediate-term (the following five years); and long-term (years 11 through 20.) Over time as short-term planning goals and measures are accomplished, later implementation steps are moved into place and addressed.

Planning Department staff will be working on a more formal General Plan Implementation Plan Work Program and 5 Year Update during the next fiscal year, however staff has identified the following items that definitely need consideration in the next 5 years. These will be organized into logical groups of amendments, and may be initiated with Resolutions of Intention to initiate the amendments:

1. Minimum density subdivision provisions (General Plan Implementation). Subdivision Ordinance and Zoning Ordinance Text Amendments. Develop provisions to enable processing of minimum density subdivisions (instead of just minimum parcel size subdivisions). For example, in the Residential Land Use (in the Mountain Home Zone), a



minimum density subdivision would allow a 20 acre parcel to be divided into 4 parcels, with a minimum density of 5 acres – which could include 3-2.5 acre parcels and 1-12.5 acre parcel. Ordinance amendments require development of an enforceable provision to prohibit no additional subdivision potential on the 12.5 acre parcel, even if the applicable zoning designation on the parcel theoretically would allow additional subdivision (based on minimum parcel size).

2. Remove setbacks from Highway 49 North (Mariposa TPA Plan). General Plan and Zoning Ordinance Text Amendments. Clean up amendment needed to Section 17.336.017, County Code. These setback requirements are no longer needed as the Highways 49 North continuous left turn lane project, for which the setback requirement was established, has been completed.
3. Change allowed residential density in zoning districts to comply with the General Plan Natural Resources Land Use (General Plan Implementation). Amendments needed to the Mountain General (Chapter 17.28) and General Forest (Chapter 17.32) zones, which currently allow 2 houses per 40 acres). Zoning Ordinance Text Amendment.
4. Amend non-conforming uses section of Title 17, Section 17.08.020 for rural parts of county to specify provisions of both non-conforming uses and non-conforming structures. Ensure consistency with Chapter 17.340. Zoning Ordinance Amendment. May be General Plan Amendment (Mariposa Town Plan Amendment) if Chapter 17.340 requirements amendment. Amendments needed based on discussion and issues raised during appeal public hearing.
5. Establish standards for Solar Energy Devices (Zoning Ordinance Text Amendments). There are currently no standards in code addressing solar energy devices.
6. Establish standards for Cellular Devices (Zoning Ordinance Text Amendment). There are currently no standards in code addressing cellular devices.
7. Adopt implementing zoning for Catheys Valley Community Plan. (Zoning Ordinance Text and Map Amendments). New zones are needed for the Community Commercial Zone and Commercial Residential Zone. New Design Review standards are needed for Catheys Valley. Development standards need to be developed to implement the minimum parcel size for subdivisions next to Agriculture Working Landscape land use. The zoning map for the Catheys Valley Community Plan area needs to be amended to change zoning in the commercial area, to remove the TPA zone designation (and make parcels either the community commercial or community residential zone), to make all parcels one zone (some are currently split zones), and to make all Land Conservation Act parcels designated in the AE zone.
8. Amend Chapter 17.12, the Town Planning Area Zone to be consistent with the General Plan as there are now Town Plans, Community Plans and Area Plans (not just specific plans). Additionally, there are more than 11 areas for which plans will be prepared. General Plan consistency issue. Zoning Ordinance Text Amendment.

9. Amend Section 17.16.010, the Rural Residential Zone to amend reference to the TPA – changing reference to town, community or special planning area. General Plan consistency issue. Zoning Ordinance Text Amendment.
10. Amend Chapter 17.20, the Mountain Home Zone to remove mining as a conditionally permitted use. Mining is not consistent with the purpose of the Residential Land Use established by Section 5.3.02.A of the General Plan.
11. Amend Chapter 17.28, the Mountain General Zone to remove mining as a permitted use or make mining a conditionally permitted use. Mining is not consistent with the purpose of Natural Resources Land Use established by Section 5.3.05.A. There is a substantial amount of Mountain General zoned land in the Natural Resource land use classification within Mariposa County. Zoning Ordinance Text Amendment.
12. Consider amending Chapters 17.32 and 17.36, the General Forest and Mountain Preserve zones to make mining a conditionally permitted use. Mining is not consistent with the purpose of Natural Resources Land Use established by Section 5.3.05.A. There are areas of General Forest and Mountain Preserve zoned lands in the Natural Resource land use classification within Mariposa County. Zoning Ordinance Text Amendment.
13. Comprehensive zoning ordinance map amendment. Identify any privately owned parcels in the Public Domain (PD) Zone (Chapter 17.52) and the Public Sites (PS) Zone (Chapter 17.56). The zoning designation on these parcels needs to be amended to an appropriate zone (considering lands in the vicinity of the parcel) which is not designated for public ownership. Zoning Ordinance Map Amendment.
14. Evaluate General Commercial Zone-1, General Commercial Zone-2, Light Manufacturing and Industrial Zone (M-1), and Heavy Manufacturing and Industrial Zone (M-2) for consistency with the Rural Economic Land Use of the General Plan. Zoning Ordinance Text Amendment.
15. Zoning Ordinance Section 17.108.050, Density Standards. This code section needs to be modified or eliminated as it is not longer consistent with the General Plan, Section 5.3.02.F(7). Zoning Ordinance Text Amendment.
16. Update land use map for Mariposa Town Plan. General Plan Map Amendment. Official map to be the GIS prepared map.
17. Update land use map for Coulterville Town Plan. General Plan Map Amendment. Official map to be the GIS prepared map.
18. Update land use map for Fish Camp Town Plan. General Plan Map Amendment. Official map to be the GIS prepared map.

19. Update diagram in Volume II of General Plan for Catheys Valley. The Volume II map should refer the reader to the adopted community plan for Catheys Valley, similar to diagrams for Mariposa, Coulterville, Fish Camp and Wawona. The amendments for the Catheys Valley Community Plan completed in December 2012 overlooked this procedural requirement.
20. Amend Chapter 17.84, the CIM Plan for CG-1, CG-2, CR, M-1, and M-2 Zones. Zoning Ordinance Text Amendment. See item 14 above for appropriateness of references to CG and M zones pursuant to General Plan. Based on adopted development standards in General Plan Section 5.3.03.E, is there a need for CIM Plans to go to Board of Supervisors for approval? Could approval authority be amended to Planning Commission to reduce processing time and costs?
21. Amend Chapter 17.96, the Resort Commercial Zone. Zoning Ordinance Text Amendment. The uses specified as permitted uses are not purely permitted uses as they must currently undergo a discretionary CIM Plan process pursuant to chapter 17.84, County Code. Items 20 and 21 should be done together. Review text for consistency with the General Plan, Section 5.3.03, the Rural Economic Land Use Classification.
22. Review and amend Sections 17.108.070 and 17.108.080, provisions for home enterprises and rural home enterprises, pursuant to the General Plan Section 6.1.05.B. Zoning Ordinance Text Amendment. General Plan Implementation.
23. Amend County Code to implement Phase II Agritourism Program. Include provisions for agritourism in other zones of code than just the Agriculture Exclusive zone. Zoning Ordinance Text Amendment. General Plan Implementation.
24. Amend County Code to develop subdivision design standards for placement of structures on ridgelines and open hillsides pursuant to General Plan Implementation Measure 11-1A(2). Subdivision Ordinance and possibly Zoning Ordinance Text Amendments. General Plan Implementation.
25. Amend County Code to implement development standards for lighting standards to require fixtures established by the International Dark Sky Association. Amend County Code to require that building materials have a low reflective index. Requirements will be pursuant to General Plan Implementation Measure No. 11-1d(1) and General Plan Policy No. 11-1D.
26. Determine appropriateness of Certified Local Government Status or alternate program for the County of Mariposa to better serve owners of historic properties. Present information to Historic Sites and Records Preservation Commission and Board of Supervisors for discussion. General Plan Implementation. Pursuant to Goal No. 14-1, General Plan.
27. Update the County historic sites inventory pursuant to General Plan Implementation Measure 14-2a(1). This work will be done in coordination with the Historic Sites and Records Preservation Commission.

There are also a number of other clean-up text amendments which staff will bring forward for initiation and processing.

## **B. SIGNIFICANT ACCOMPLISHMENTS IN 2012**

During 2012, significant accomplishments were made toward achieving major General Plan objectives. These include:

1. Plans for the Wawona Town Planning Area and the Catheys Valley Community Planning Area were adopted.
2. Zoning Amendments to implement some Housing Element Programs were processed and adopted.
3. Distribution of the first set of mandatory Williamson Act questionnaires pursuant to the updated Williamson Act Policies occurred at the end of 2012. Preliminary enforcement action on non-complying parcels under contract is expected in 2013, to implement General Plan Agriculture policies.

## **C. AREA PLANS IN PREPARATION (2012 AND 2013)**

Progress toward implementation of the General Plan occurs whenever a new Area Plan is prepared and adopted, when an existing Area Plan is amended, or when the planning for a Planning Study Area is initiated. At full implementation of the General Plan, sixteen geographically-distinct Area Plans are envisioned for Mariposa County's local communities; and the Yosemite National Park's General Management Plan represents a separate federal planning area of its own. The overall status and timing of the planning programs for each of the Area Plans is established in Attachment 1, Table 5-1 of the General Plan.

The Mariposa County Area Plans fall within the following descriptions, depending upon the scope and intensity of the land uses represented within any given planning area:

- **Town Planning Area:** All residential, commercial, industrial, job-center, recreation, and public uses, as defined in the General Plan, are consistent with the purpose of a town planning area. In the case of pre-existing adopted town plans, the planning documents may be known as a Town Specific Plan (such as Fish Camp.)
- **Community Planning Area:** Single-family residential, rural commercial, recreation/resort-oriented, small business and public are the land uses consistent with the purpose of a community planning area. Multi-family residential uses with more than two attached dwelling units per structure and industrial uses are not consistent land uses within community planning areas; live-work commercial/residential uses are acceptable. Greeley Hill and Catheys Valley are examples of Community planning areas.

- **Special Planning Area:** Some small locales (including Foresta and Buck Meadows) in the County do not face the full scope of issues and land uses warranting a full-scale town plan or community plan. The purpose of a special plan is to address the specific issues of local importance for the planning area. Consistent uses will be defined within the special plan.

Two Area Plans are identified in Table 5-1 of the General Plan as "pending for approval in (the) short term." These are the communities of Midpines and Lake Don Pedro.

The Midpines Community Planning Advisory Committee (MCPAC), appointed several years ago by the Board of Supervisors, has been meeting regularly to review planning boundary maps, to adopt meeting by-laws and to discuss planning issues and interests for the Midpines area. Work on a Community Plan for Midpines began in February 2013 and the plan is currently scheduled for completion by the end of 2014.

The Lake Don Pedro Town Planning Area is the final short-term priority for Area Plans. No County planning process has begun for this area, although the Lake Don Pedro Community Services District (LDPCSD) did attempt in 2004 to update its Sphere of Influence (SOI) planning boundaries and its Municipal Services Review (MSR) for adoption by LAFCo. Planning for the portion of the Lake Don Pedro subdivision lying in Tuolumne County is done by Tuolumne County. Mariposa County LAFCo, however, has jurisdiction for LAFCo services and planning decisions in both Mariposa and Tuolumne County. Recent elections have brought significant changes to the District Board, and to the CSD's staff. Future planning decisions that will best serve the Lake Don Pedro community will be made by the new CSD Board of Directors.

#### **D. OTHER GENERAL PLAN ACCOMPLISHMENTS BY COUNTY AGENCIES IN 2012**

The General Plan includes 16 Chapters or Elements. Chapter 5 (Land Use), Chapter 9 (Circulation, Infrastructure and Services), and Chapter 10 (Agriculture) are the elements which contain most of the implementation measures and programs that have been mentioned so far in this Annual Report. However, Chapters 4 through 16 each contain policies and implementation measures that are being addressed by various County departments and agencies. A few of the implementing activities and accomplishments of the past year include:

- **Chapter 5. Land Use**

The Land Use Chapter guides development and land use policy. The guidance provided by the land use element insures that residential parcels be ready to build. Development project are reviewed and conditions approved based on the General Plan on an ongoing basis. New land division projects are reviewed in order to ensure that they are "Ready to Build" as required by General Plan Implementation Measure 5-10a(1). This helps ensure that parcels are in fact developable. New subdivisions are also reviewed to ensure that they comply with General Plan Policy 5-3a which requires that "New subdivisions and lands created for commercial and industrial purposes shall have direct access to maintained roads."

Several General Plan text and land use designation amendments were approved in 2012. These are discussed above.

Each new amendment proposal is reviewed under CEQA in order to reduce potential impacts associated with development. Mitigation measures are commonly included in project approvals, and together with conditions of approval insure compliance with General Plan policies.

- **Chapter 6. Economic Development**

The Economic Development Chapter works toward the financial stability for delivery of County services, the economic stability for business development, and to attempt to create diverse work opportunities for County residents. The County has continued to look at available grants and loan programs to assist small businesses. The Office of Economic Development provides valuable assistance to small business owners. The County has a close working relationship with the Tourism Bureau and work together to increase tourism to the County.

Mariposa County was awarded a grant as a result of the “Telegraph Fire” from 2009. The grant is being used for repair and renovation of Whitlock Road and Dogtown Road. That grant money will also be used for an update to the Local Hazard Mitigation Plan. Finally, the grant will be used for an update to the Safety Element, which is scheduled for 2013.

Progress was made on the current phase of the Mariposa Creek Park Walkway project. Lands were obtained from private property owner with grant funds for that portion of the walkway project between Joe Howard and 8<sup>th</sup> Streets.

During 2012, the County GIS Mapper conducted initial GIS organization and completed subsequent building of two database for management and payments for Transient Occupancy Tax Certificates. This was a critical and unmet need in Mariposa County, as there were current lists maintained by 3 separate county departments; not all of which were consistent. The TOT is very important to Mariposa County and this data base and program will enable the Tax Collector’s Office to more efficiently and effectively manage the current certificate holders.

In July 2012, the Board of Supervisors approved a General Plan/Zoning Amendment and Conditional Use Permit for a guest ranch in the Buck Meadows Planning Area. This facility will help provide economic development in the community by offering tourists additional facilities consistent with the General Plan.

In May 2012, the Planning Commission approved a 2 year time extension for the Silver Tip Village Resort project in Fish Camp. This facility will aid economic development in Fish Camp by providing additional facilities for tourists.

- **Chapter 8. Housing**

A Housing Element is unique in terms of its policy and reporting requirements under California statutes, and with regard to the state-supervised schedule by which it is updated and adopted. The Housing Element describes housing programs that are managed by the Mariposa County

Housing and Community Development Agency (HCDA) in the Human Services Department. The HCDA continues to implement the housing programs and measures identified in Housing Element in the course of fulfilling its ongoing housing responsibilities.

In March of 2009, Mariposa County contracted with J.B. Anderson, Land Use Planners, to prepare a State-mandated update to the Housing Element. The 2009-2014 Housing Element Update, General Plan Amendment No. 2009-055, was in response to a State requirement that a new Housing Element be prepared that would comply with legislative mandates and the Housing Element Guidelines of the State Housing and Community Development Department (HCD).

The adopted 2009-2014 Housing Element demonstrates that the County can accommodate assigned RHNA (Regional Housing Needs Allocation). The actual creation of new housing is the responsibility of the private housing sector. The policies in the Housing Element generally call for local agencies to encourage the production of affordable housing, and to avoid and eliminate constraints to the construction of new and affordable housing units. (Other State departments and agencies, however, are free to promulgate new regulations that can significantly increase the cost, and decrease the affordability of local housing.) The Housing Element identified several new programs that are necessary to meet legislative requirements for the homeless, transitional/supportive housing, single room occupancy and the disabled.

In early 2012, the County approved amendments to Title 17, Zoning, that would remove constraints on housing for disabled individuals. The proposed amendments allow large residential care facilities for seven (7) or more unrelated individuals as a permitted use in the Multi-Family Residential zone in the Town of Mariposa (Housing Element Program 8-6).

The Mariposa County Habitat for Humanity was identified in the Housing Element as a local resource for affordable housing. Habitat for Humanity continues to be active and assisting low-income families find housing.

The Human Services Department is working with a member of the Board of Supervisors and members of the community to explore the feasibility of the development of a graduated living facility for seniors and person with disabilities in Mariposa. The Department has established contacts with American Baptist Homes of the West which is interested in conducting a feasibility study, at no cost, for such a project in Mariposa County. The Stanislaus Housing Authority is interested in providing technical assistance for the project, particularly in the area of financing.

The Human Services Department has also opened discussions with Home Base of San Francisco to explore the possibility of applying for HUD McKinney Vento Continuum of Care funds to support homeless housing and services.

Unfortunately, legislation by the State requiring mandatory sprinkler systems in residential units has resulted in increased housing construction costs. While the increased safety provided by fire sprinkler systems in residential units is to be commended, the increased costs make all housing more expensive. These costs are proportionally higher with respect to the development of low-income housing, making very-low or low-income housing difficult to

accomplish in Mariposa County. This State mandated requirement is a constraint on the construction of affordable housing in the County.

The vast majority of residences in Mariposa County can only use septic systems for waste disposal. State legislation regarding the installation of septic systems has resulted in a significant increase in costs for installation of the systems. Again, while this affects the cost of most housing development in the County, it is proportionally higher with respect to low-income housing, and is a constraint on affordable housing in the County.

As noted above, in July of 2012, the County adopted amendments Title 17, Zoning of the Mariposa County Code, and to the Mariposa Town Planning Area Town Plan that implemented Programs 8.2 and 8.3 of the General Plan Housing Element, and brought Title 17, Zoning, of the Mariposa County Code into compliance with State law. The amendments added definitions and established regulations and standards regarding emergency shelters as a permitted use in the General Commercial Land Use of the Mariposa Town Planning Area Town Plan. The amendments also added definitions and clarified that transitional housing and supportive housing is only subject to the same regulations as a residential use in the same zone. The amendments also made Title 17, Zoning, and the Mariposa Town Plan, internally consistent, and in compliance with the State Community Care Act and the Housing Element Guidelines.

During 2012, the County GIS Mapper added Seismic Design information, Elevation information (for snow loads) and Energy Zones to the GIS System. She installed the GIS viewer function on two Building Department computers and trained personnel on the use of the view. This has enabled Building Department staff to save time and better serve the public when handling building permits at the front counter, as information they need to process permits is readily available.

This past year, the Building Department issued forty-five Certificates of Occupancy for new dwelling units and six permits for conversion to a permanent dwelling unit. Two new multiple-unit structures, both duplexes duplex, were built. Of the forty-five new housing unit permits issued during 2012, fourteen were for mobile homes. The yearly total is substantially less than the desired official RHNA number of units available to extremely-low and low income households.

The 2012 building statistics reported above suggest that a) the slowdown in the local production of new housing has continued; b) the high and increasing cost of "stick built" homes may be affecting the overall proportion of mobile homes in the County's housing stock; and c) the ability of Mariposa County, and California local governments generally, to create enough housing to reach unrealistic RHNA goals, established during the earlier "boom" years of the past decade, is effectively thwarted by prevailing conditions of the housing and financial markets.

Attachment 5 is the Housing Element Implementation Annual Progress Report, a State mandated report that is to be submitted to the HCD by April 1<sup>st</sup> of each year. Tables A through B provide information on the residential building activity for 2012 based upon income levels from extremely-low to moderate income housing. As the tables indicate, as a result of the recent



housing market problems, the overall number of residential units is down significantly. There have been no residential units constructed for very-low or low income households.

Table C in the Attachment summarizes the progress made on each of the Housing Element Programs over the past year. The table provides a description of each of the Housing Element Programs, the objective of the program, the timeframe for completion of the Program (or if it is on-going) and a brief summary of the activity on each Program in 2012. Most of these Programs are on-going, based upon current County policies, funding, and continuing activities administered by the Planning, Building and Human Service Departments.

- **Chapter 9. Circulation, Infrastructure, And Services**

In 2012, funding was received from both Federal and State Safe Routes to Schools programs. The Federal grant was 100%, and the State grant was a 90/10 match. The projects will provide for sidewalks on Bullion Street and Jones Street, from 5<sup>th</sup> to 8<sup>th</sup> Streets. Preliminary engineering has been done for the project.

In 2012, an update to the Regional Transportation Plan was worked on, including the public review process. The update is scheduled for adoption in April 2013.

In 2012, Caltrans completed a cross walk study for the town of Mariposa. The Board of Supervisors' local representatives are working with Caltrans and business owners on the recommendations.

In 2012, PGE grant funding was awarded to the Coulterville and Mariposa Lighting Districts. 17 streetlights will be replaced in the town of Coulterville and 4 streetlights will be replaced in the town of Mariposa. Pursuant to community design review requirements, the fixtures will be a teardrop design. Pursuant to General Plan requirements, the fixtures will be dark sky compliant.

- **Chapter 10. Agriculture**

In 2012, the Board of Supervisors approved funding for a permanent code compliance staff position with the Mariposa County Planning Department. The Board of Supervisors approved amendments to the job description for this position, to enable this staff person to review the biennial reports for Williamson Act Contracts. This position is a first step toward ensuring local contracts are in full compliance with state law and county policy for the Williamson Act and Land Conservation Act programs.

Based on submittal of an application to transfer agricultural lands in Catheys Valley, the Agricultural Advisory Committee held public meetings to consider and develop the criteria for transfers of agricultural land on May 24, 2012 and June 7, 2012. This was pursuant to General Plan Goal 10-2, Policy 10-2a and Implementation Measure 10-2a(4): Develop criteria for transfers of lands within the Agriculture/Working Landscape land use designation for lands within other land use designations which result in no net loss of like kind of agriculture lands (type and quality) and that demonstrate a benefit to agriculture lands. The Planning Commission held a public hearing on June 15, 2012 and recommended Board action. The Board of Supervisors conducted a public hearing and adopted the final criteria for transfers of ag lands on July 10, 2012.

The criteria is three tiered, and intended to be objective criteria to implement the General Plan goal, policy and implementation measure for no net loss of like kind of ag lands and agricultural lands benefit.

In order to process the application to transfer agricultural lands in Catheys Valley, a General Plan Amendment to clarify the application of policies to the processing of projects submitted for transfers of lands pursuant to Goal 10-2, Policy 10-2a, Implementation Measure 10-2a(4) was necessary. This amendment clarified that a General Plan Map Amendment proposing a “transfer of land” within the Agriculture/Working Landscape pursuant to Goal 10-2, Policy 10-2a, and Implementation Measure 10-2a(4) shall not be subject to the other specific General Plan sections established for land use classifications (“Criteria for New Lands to be Included,” and “Criteria for Lands Proposed to be Removed”), including those established for the Agriculture/Working Landscape, the Natural Resources, and the Residential Land Use Classifications. The clarification of policies amendment was processed to ensure the Board of Supervisors’ intent in establishing an allowance for such transfers is clear and explicit. This was based on consideration of statements made at the General Plan public hearings in 2006; that the “transfer” provision was included in the General Plan because the findings to remove land from the Agriculture Working Landscape Land use are otherwise very difficult (if not impossible) to make. Based on the Board’s intent, the other General Plan sections for including or removing lands are not relevant, if the “transfer” criteria are met.

- **Chapter 11. Conservation and Open Space**

In 2012, a significant audit of the mining program, including compliance activities was completed by the Lead Agency Review Team, Department of Conservation Office of Mine Reclamation. As a result of a 30-day Notice, planning staff prepared a response to the State Mining and Geology Board (SMGB), attended a SMGB Hearing, and prepared and worked on a County Action Plan for compliance. Significant progress has been made toward completing the County Action Plan in 2012 and additional work will continue in 2013.

The Planning Commission and staff have continued reviewing environmental site surveys and conditioning discretionary development applications for compliance with the policies in Chapter 11 of the General Plan, including Implementation Measures 11-4a(6) and (7). Data is being assembled, on a project-by-project basis, through required site surveys, that will eventually create a comprehensive map of sensitive vegetation communities and wildlife habitats throughout Mariposa County. These surveys also assist in the identification of jurisdictional wetlands or waters of the U.S., sensitive plant communities, rare wildlife and their habitats, riparian habitats, and streams. To protect these resources, setbacks are established around them as conditions of approval, which prohibit the disturbance, construction, and grading within these setbacks and therefore protect the resource, and ensure compliance with Chapter 11 of the General Plan, including Implementation Measures 11-2d(1) and 11-4(a)2.

The Planning Commission and staff have also continued to require that oak tree surveys be submitted with discretionary development applications in keeping with Implementation Measure 11-4(a)2. Avoidance of mature trees is encouraged during project construction. Mitigation measures are adopted to help reduce impacts of loss of mature oak trees, typically by protecting

other trees from disturbance with setback areas. These setback areas typically establish protection areas for 3 to 4 trees for every mature oak tree that is removed, for example, by road construction during a land division project.

Surveys for nesting birds and raptors are also required for projects expected to remove trees. These surveys are required to occur during the nesting season of birds and raptors, 30 days prior to any tree removal occurring. This ensures that breeding and nesting birds are protected according to State and Federal law, as required by Implementation Measure 11-4a(8).

Work on a local Regional Water Management Group (RWMG) Integrated Regional Water Management Plan (IRWMP) has been on going. The RWMG is applying for a grant from the Department of Water Resources. These efforts respond to Policy 11-1b and Implementation measure 11-1(b)(1) as the group includes both public and private agencies at the Federal, State, and local levels.

### • **Chapter 13. Regional Tourism**

During 2012, Mariposa County GIS Mapper has spent time conducting interagency cooperative mapping work on the Bear Creek Trail in Midpines. The work is with the Friends of Bear Creek (a non-governmental organization) and the Hydropower Assistance Program of the National Park Service. This work is consistent with and implements the Mariposa County General Plan:

- Goal 9-1: All development shall have safe and adequate access.
- Goal 9-3: Create a bicycle, pedestrian and equestrian system for recreational and transportation use.
- Goal 13-3: Increase public access to trails and off-road areas to provide greater opportunities for 'in-County' visitor experience.
- Policy 13-3a: Work with other land management agencies to establish access routes and trailheads while protecting environmentally sensitive areas.
- Goal 13-4: Create visitor access to communities and points of interest.

This work is also consistent with provisions in the Regional Transportation Plan:

- Goal 4 Non-Motorized: Develop an adequate, safe, and efficient regional system of bicycle, pedestrian, and equestrian facilities to accommodate and encourage non-motorized travel demand.

### • **Chapter 16. Safety**

During 2012, building permits have been issued and significant progress made toward construction of three (3) new fire stations for Mariposa County, including one for Fish Camp, one for Midpines, and one for Lake Don Pedro. These fire stations are fully funded by the Federal Emergency Management Agency.

The Lake Don Pedro fire station was completed and certified for occupancy in September, 2012. The Midpines and Fish Camp Fire Stations are anticipated to be completed in the first quarter of

2013.

The effects of building new, and replacing and rehabilitating older fire stations will enhance the County's public safety, emergency and public safety responsibilities and facilities, which are objectives consistent with the safety policies of Chapters 9 and 16 of the General Plan.

Mariposa County Fire and the Mariposa County Fire Safe Council continue their close association to plan and complete fuel reduction projects.

Significant work was conducted on and progress made toward adoption of the Local Hazard Mitigation Plan during 2012 (the plan was adopted in early 2013). This included noticed public hearings at the Board of Supervisors. A FEMA-approved LHMP opens opportunities for Federal mitigation funding while ensuring availability of disaster recovery funds. Once a LHMP is approved by FEMA and ratified by the Board of Supervisors, it becomes a component of the Safety Element (by reference) of the County General Plan.

## ***6. Future Amendments to Implement the General Plan***

During the final public workshops and hearings to adopt the General Plan in 2006, a number of recommendations and policies were discussed but not included in the final language of the plan. A number of these suggestions were instead placed in a General Plan appendix section titled: Appendix C, Future Considerations. The list of these considerations is found in Attachment 2 of this Annual Report. Review of the Annual Report is an appropriate time for Board members, Planning Commissioners, and members of the public to review items in the Appendix, to see whether any of these deferred items might warrant consideration in 2013 as policies or implementation measures in the General Plan.

At this time Mariposa Planning staff has not identified new policy or planning tasks, from this list or elsewhere, which it believes appropriate to add to its present implementation workload. The addition of new General Plan implementation responsibilities would impact the completion or schedule for completion of existing on-going work assignments.

Ongoing daily activities of many other County departments and agency personnel (although not cited in this Annual Report for reasons of brevity) are continually assisting in the work of addressing and implementing the adopted goals and objectives of the General Plan.

### **A. Proposed Schedule of 2013 General Plan Amendments**

Each year a county may amend its adopted General Plan on four separate occasions. There is no limit to the number of changes that it may adopt at any one of these times, nor is there a requirement that a county must amend its General Plan. One of the four opportunities is reserved exclusively for changes that are proposed or sponsored on behalf of the general public by the Planning Commission and/or the Board of Supervisors. At the other three times of the year, requests from private individuals may also be considered for adoption. The recommended schedule of dates to consider General Plan amendments in 2013 is found

in Attachment 3, Exhibit A of this Annual Report.

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**Attachments:**

Attachment 1 - Planning Area Plan Status

Attachment 2 - Appendix C from the General Plan ("Future Considerations")

Attachment 3 - Board of Supervisors Resolution 13-201 to accept the 2013 General Plan  
Annual Report and adopt the 2013 Schedule of General Plan Amendments

Attachment 4 - Housing Element Implementation Annual Progress Report

Attachment 5 - Planning Commission Resolution 2013-006

Attachment 6 - Excerpt of the Draft Minutes from the April 19, 2013 Planning Commission  
Hearing/Workshop



Table 5-1: Planning Area and Area Plan Status

<i>Planning Area</i>	<i>Planning Advisory Committee</i>	<i>Area Plan Status</i>
Bear Valley Community	No	Not scheduled
Bootjack Community	No	Not scheduled
Buck Meadows Special	No	Not scheduled
Catheys Valley Community	Yes	Adopted
Coulterville Town	Yes	Adopted
El Portal Town	Yes	Pending for completion in the intermediate term
Fish Camp Town Specific Plan	Yes	Adopted
Foresta Special	No	Not scheduled
Greeley Hill Community	Yes	Not scheduled
Hornitos Community	No	Not scheduled
Lake Don Pedro Town	No	Pending for completion in short term
Mariposa Town	No	Adopted
Midpines Community	Yes	Pending for completion in short term
Mount Bullion Town	No	Not Scheduled
Wawona Town Specific Plan	Yes	Update adopted
Yosemite National Park	N/A	Complete <sup>1</sup>
Yosemite West Special	Yes	Pending for completion in the shot term

Source: Mariposa County, 2006.

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<sup>1</sup>Yosemite National Park has prepared three major updates to its General Management Plan. Of these various plans, the Yosemite Valley Plan and the Merced River Plan have the greatest set of collaborative planning issues within the County.





## APPENDIX C

### FUTURE CONSIDERATION

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#### “FUTURE CONSIDERATIONS LIST”

The list of future considerations is a compilation of Board of Supervisors or community-identified desires, for future consideration by the Board of Supervisors. When policy recommendations are brought forward by community members, these recommendations will be added to this list for deliberation by the Board of Supervisors during the annual General Plan review period or each time the General Plan is updated. This list is dynamic and new items will continue to be added throughout the life of the General Plan; however, items can be removed from the list at the Board’s discretion. When items are “approved” by the Board of Supervisors, they will be developed into policies and/or implementation measures and included as part of General Plan amendment process.

1. Evaluate the effectiveness of the “tripling the average daily traffic” standard in Section 5.4.02 F, Intensity of Use Standards, F(2) Traffic Generation.
2. Consider the use of “Carrying Capacity” in establishing the “minimum density” criteria for each land use classification.
3. Conduct Groundwater Studies similar to Groundwater Studies conducted in Eastern Fresno county.
4. Prepare a study that evaluates the clustering of residential units on a parcel of land based on the project parcel’s carrying capacity. The study findings may be applied in future updates of the General Plan and implementing ordinances.
5. Define the criteria to be used in evaluating new road capacity definitions.
6. New policy: New development shall pay its fair share through development impact fees.
7. Track the appropriateness of the maximum acreage in the commercial sub classification of the Rural Economic Land Use to determine if 20 acres is still appropriate or if the acreage should be reduced to 10 acres.
8. The following underlined text is to be considered for addition to the existing Implementation Measure 10-2a(3): Standards shall be developed for issuance of development permits for substandard size parcels under Williamson Act contract. Development permits shall not be issued for substandard size parcels unless they are enforceably managed with other (standard) contiguous contracted parcels under common ownership.

## Attachment 2

9. The following underlined text is to be considered for addition to the existing Implementation Measure 10-6a(2): Review enforcement of Williamson Act provisions requiring onsite residents to be actively performing qualifying agricultural activities on all contracted property including historic parcels, and require one Williamson Act contract for each parcel or for each group of contiguous parcels that are owned and managed as one unit.
10. The goals, policies, and implementation measures listed below were removed from the 2005 Draft General Plan because they were determined by the Board of Supervisors and Planning Commission not financially feasible or would not realistically be implemented during the horizon of the General Plan. The Board of Supervisors and Planning Commission however acknowledge that these goals, policies, and implementation measures are worth retaining and therefore are preserved here for future consideration during annual General Plan reviews and/or updates. This list will be maintained on an annual basis and goals, policies, and implementation measures may be added or deleted at the request of the Board of Supervisors or Planning Commission.

### GENERAL PLAN ADMINISTRATION

*Policy:* The General Plan is the policy compendium of the Board of Supervisors.

*Implementation Measure:* General Plan map interpretation guideline shall be to apply the designated classification when more than fifty percent of a quarter-quarter section is shown to be within the classification. Where possible, the following shall be used as the interpreted boundary:

- Roads
- Quarter section
- Property lines

*Implementation Measure:* The update to Title 17, Mariposa County Code, Zoning, shall include provisions for staff General Plan interpretations to be appealed directly to the Board of Supervisors.

*Implementation Measure:* The Five Year Review shall be intended to update timelines and adopt any major changes in goals and policies. The Five Year Review shall include:

- Analysis of all short-term planning period projects to ensure completion. Mariposa Planning shall recommend retention or elimination of incomplete projects; and
- Analysis of all intermediate-term planning period projects to recommend which shall be changed to the new short-term planning period, which shall be retained as intermediate term, which may be moved to long-term, and which may be eliminated; and
- Analysis of all long-term planning period projects to recommend which shall be changed to intermediate term, which shall be retained as long-term, and which may be eliminated; and
- Analysis of changes in Board policies and recommendations for appropriate changes in Plan goals which shall be necessary to implement the revised policies of the Board of Supervisors; and
- Population projections and trends to ensure the Plan continues to

accommodate an appropriate inventory of undeveloped land for future populations.

### LAND USE

**Goal: Maintain a land use pattern that preserves the County's scenic character.**

*Policy:* Land use designations shall be compatible with the preservation of scenic character while providing for the orderly development of the County.

*Policy:* County populations not located in or near planning areas shall have opportunities for locally-oriented commercial services available.

*Implementation Measure:* During the short-term planning period, revise Title 17 of the Mariposa County Code, Zoning to include a Rural Commercial zoning district using this or a similar name.

### ECONOMIC DEVELOPMENT

**Goal: Provide additional services to the County's residents creating new employment opportunities by improving the local economy.**

*Policy:* Enable creation of new local businesses.

*Policy:* Develop the training and infrastructure necessary for economic diversification.

*Policy:* Implement active programs designed to strengthen and diversify the core local economy that provides goods and services to local residents.

*Policy:* Provide opportunities for maintaining compatible businesses in the home.

*Policy:* Each Planning Area shall identify a fair share of land for the relocation of growing Home Enterprises and Rural Home Industries.

*Implementation Measure:* During the short-term planning period, the Board of Supervisors shall appoint an Economic Development Director and provide the Director with appropriate staff and operating budget.

*Implementation Measure:* The Economic Development Department or Division shall serve the Board of Supervisors and be advised by a County Economic Development Commission appointed by the Board of Supervisors.

*Implementation Measure:* The Board of Supervisors shall implement the economic development strategic plan within each year's budget.

*Implementation Measure:* During the short-term planning period, the County shall assist in creating an economic development inventory and business database designed to provide information to facilitate the establishment and expansion of businesses in the County.

*Implementation Measure:* During the short-term planning period, the County shall join in the creation of a Business Development Center.

*Implementation Measure:* As part of its economic development function, the County shall participate in State and Federal programs which return a measurable benefit to the County's Economic Development Strategic Plan.

*Implementation Measure:* Collaborate with Mariposa County Unified School District, community college districts, universities and other agencies to create a flexible and responsive workforce development and training programs

## Attachment 2

meeting long-range employment needs in the County's target markets.

*Implementation Measure:* During the intermediate-term planning period define, plan, and begin implementation of the infrastructure identified in the County's Economic Development Strategic Plan, and the Capital Improvement Program needed for economic diversification.

*Implementation Measure:* Beginning in the intermediate-term planning period, continue the development of infrastructure and make investment needed to provide for new and expanded business opportunities.

*Implementation Measure):* During the short-term planning period assist the tourism industry in establishing an employee-training center for all aspects of hospitality employment and management.

*Implementation Measure:* Use the County's business retention and attraction program to support the growth of businesses, including retail, personal and business services, and health care, which would provide a wider range of goods and services to County residents.

*Implementation Measure:* Assist the local business community in implementing a "Shop Mariposa" program and other promotional efforts designed to retain more of the County's spending for goods and services.

*Implementation Measure:* Home Offices shall be an accessory use in all residential zoning districts, subject to the following standards:

- The business is designed to provide a service primarily delivered to the customer at another location.
- No additional signage, other than that permitted for the residential use, shall be allowed.
- No additional parking shall be provided solely for the use of the business.
- No more than one outside-the-household employee is permitted.

*Implementation Measure:* Home Enterprises shall be an accessory use on parcels of 2.5 acres or more of gross land area, subject to the following standards:

- If the business has the potential to triple the traffic generation standard of the single family dwelling (from 7.5 to 22.5 average daily trips), a discretionary permit is required.
- No more than one outside-the-household employee is permitted.

*Implementation Measure:* Rural Home Industries shall be a discretionary accessory use requiring approval of a use permit prior to initiation on parcels of 5.0 acres or more in the Residential land use classification. Not more than three outside-the-family employees are permitted.

*Implementation Measure:* Rural Home Industries shall be an accessory use on lands within the Agricultural/Working Landscape and Natural Resources land use classifications.

*Implementation Measure:* Each Area Plan shall define the nature of businesses in the home allowed in various land use classifications.

*Implementation Measure:* In the short term, the County shall amend Title 17, Mariposa County Code, Zoning to define precise performance standards for businesses in the home.

*Implementation Measure:* All Planning Areas—except Wawona and Fish Camp—shall

## Attachment 2

provide for lands that may be classified and zoned to accommodate the relocation of Home Enterprises and Rural Home Industries. The acreage encompassing a “fair share” shall be determined by the Planning Agency when preparation of the Area Plan is initiated. The Planning Advisory Committee shall recommend the location(s) for the lands to be classified.

*Implementation Measure:* During the short-term and intermediate-term planning period actively work to develop wireless communication facilities and service to cover the entire County.

*Implementation Measure:* During the short-term planning period, if any telecommunications provider is unwilling to cooperate or participate in an intermediate- and long-term program to bring high speed telecommunications into the County, officially contact the appropriate regulatory agency to seeking assistance or intervention in attaining County goals.

*Implementation Measure:* Implement actions to attract the “spin-off” businesses in the County’s business retention and attraction program and in provision of infrastructure.

### ARTS AND CULTURE

*Implementation Measure:* The ordinance creating the Cultural Arts Commission shall include, and not be limited to, the following tasks:

- create public awareness program,
- prepare and recommend for adoption, a County Arts Plan,
- recommend policies for soliciting, accepting, and displaying public art, including themes and sites for public art,
- create and maintain an inventory of public art,
- develop programs and propose sources for funding the Arts, and
- determine the needs for and recommend sites for capital facilities necessary for the advancement of cultural and performing arts.

*Implementation Measure:* During the short-term planning period, the County shall allocate County personnel and financial resources assisting community-based organizations to market and promote their arts and culture events.

*Implementation Measure:* During the intermediate-term planning period, the County should consider constructing and operating a County cultural and performing arts center.

### HOUSING

**Goal: Increase affordable housing ownership opportunities with manufactured housing.**

*Policy:* Encourage the use of manufactured housing to provide ownership opportunities meeting Jobforce housing needs.

*Policy:* Permit installation of safe, non-certified mobile homes meeting HCD CCR Title 25 standards.

*Policy:* Ensure that all development within the Rural Economic/Resort land use subclassification provides adequate housing for its employees. If adequate housing is not available within

## Attachment 2

the local community, the resort development will provide such housing within the project.

*Implementation Measure:* The County shall enact no ordinances or standards that preclude installation of manufactured housing on individual parcels of land in the County.

*Implementation Measure:* Prior to the issuance of a building permit to move or install a non-HUD certified mobile home, the approved certificate of inspection from the Department of Housing and Community Development shall be obtained. Mariposa County building permits shall only be issued for installation of mobile homes on individual lots or parcels when the mobile home meets one of the two following standards:

- Certified mobile homes:
  - The mobile home is constructed to the standards of the United States Department of Housing and Urban Development or meets equivalent certification standards, and
  - The mobile home meeting certification standards shall be taxed as real property, or
- Non-HUD certified mobile homes:
  - The mobile home shall meet appropriate roof load requirements for the elevation of installation by either its manufacturing design or by covering the mobile home with a ramada constructed to the standards of the Uniform Building Code, and
  - The mobile home shall be inspected and an approved certificate issued by the Department of Housing and Community Development shall be filed with the Building Department, and
  - The mobile home shall incorporate a safe electrical system with the certification provided by a professional appropriately licensed in the State of California to provide this service, and
  - The mobile home shall be taxed as real property.

## CIRCULATION, INFRASTRUCTURE, AND SERVICES

*Policy:* Expand the economic value of the airport.

*Implementation Measure:* The County shall maintain a traffic model to project traffic volume and calculate road capacity.

*Implementation Measure:* Road improvements required to increase capacity when necessary for a project shall increase capacity as needed on all roads from the project site to the nearest major collector, County arterial, or State Highway.

*Implementation Measure:* During the short-term planning period (January 2006 – January 2011), prepare an Airport Special Plan encompassing the Airport Master Plan and areas within the Mariposa Town Planning Area to provide sites for business and industry surrounding the airport.

## AGRICULTURE

## Attachment 2

*Policy:* Maintain a database of agricultural lands and products providing information, tracking trends, and seeking opportunities.

*Policy:* Cooperate and assist in the preservation of agriculture lands.

*Implementation Measure:* During the short-term planning period, develop and maintain an inventory of agricultural lands and products as support to economic development strategies and program implementation.

*Implementation Measure:* Information in the agriculture database shall be utilized as part of the findings for General Plan amendments and updates.

*Implementation Measure:* As an ongoing project, the County shall utilize collaborative planning efforts to determine local efforts eradicating invasive species.

*Implementation Measures:* During the short-term planning period, the Resource Conservation District shall prepare and maintain a catalogue of private and public organizations interested in the purchase of land or easements for the preservation and maintenance of agriculture or habitat lands.

### CONSERVATION AND OPEN SPACE

**Goal: Provide for the sustainable development of timber resources.**

*Policy:* Make the Mariposa County Water Agency an active, viable entity.

*Policy:* Protect commercially valuable timberland from conversion to non-timber related uses.

*Policy:* Maintain and enhance sustainable production of timber.

*Implementation Measure:* Enforce the County Grading Ordinance for erosion control on all development projects.

*Implementation Measure:* Enforce the County's regulations concerning installation and maintenance of private wastewater disposal systems. Areas identified as having septic system constraints shall be required to have specially designed wastewater treatment systems.

*Implementation Measure:* Require that all development use pervious paving material whenever feasible to reduce surface water runoff and aid in groundwater recharge.

*Implementation Measure:* During the short-term planning period, the County shall request the California State Geologic Survey Board to authorize and complete the "Mariposa County State Classification Report."

*Implementation Measure:* Define the minimum performance standards that shall set minimum land area for mineral resource projects to be based on the types of operations and the land use classification.

*Implementation Measure:* Landscaping standards within the County Code shall require the use of site-appropriate native plant species.

*Implementation Measure:* During the short-term planning period, the County shall develop and enforce standards to reduce or eradicate invasive species affecting the agricultural and natural ecosystems.

*Implementation Measure:* Commercially valuable timberland shall be within the Agriculture/Working Landscape land use classification.

*Implementation Measure:* Use the current State Board of Forestry Practice Rules to accomplish sustainable production of timber.

## LOCAL RECREATION

*Implementation Measure:* Acquire and develop park and recreation facilities.

*Implementation Measure:* During the budget planning process, the Public Works Department shall prepare a report to the Parks and Recreation Advisory Committee identifying areas of the County in which new park facilities are required to maintain the service level.

*Implementation Measure:* The Board of Supervisors shall approve projects to achieve service levels within a five-year rolling period from the time the need is identified. A change in population of 25 percent or more is required to assess the service levels in an area of the County. The population is to be estimated based on number of residential building permits issued during a given year.

*Implementation Measure:* The Parks and Recreation Master Plan shall be reviewed every five years and updated to reflect changes in community values and County development.

*Implementation Measure:* The Parks and Recreation Master Plan shall include projections of fiscal needs and revenue sources for the operations, maintenance, and program implementation identified over short-, intermediate-, and long-term planning periods.

## REGIONAL TOURISM

*Implementation Measure:* During the short- and intermediate-term planning period, create and install all the required signage to match other promotional activities and site identification.

*Implementation Measure:* Identify sites and develop locations for satellite visitor centers at other County gateways, including Coulterville, Fish Camp, and within Yosemite National Park.

## HISTORIC AND CULTURAL RESOURCES

*Implementation Measure:* As part of the reorganization this Historic Sites and Records Preservation Commission shall be renamed the Mariposa County "Historic Preservation Commission."

*Implementation Measure:* By the conclusion of the intermediate-term planning period, the County shall convert and maintain a comprehensive digital imagery database of its official records, both contemporary and historic.

*Implementation Measure:* During the short-term planning period, the County shall initiate a mandatory digital imagery document management system for all memorialization of all current official records and documents.

*Implementation Measure:* Sites and structures on the Mariposa County Register of Historic Places, in a Historic District, or Main Street District shall be offered the maximum allowable special property tax valuation and federal tax incentives for restoration or renovation of the historic structure.

*Implementation Measure:* During the intermediate term planning period, the County shall establish a low interest revolving loan fund to finance repair and renovation of privately owned historic structures.



## Attachment 2

*Implementation Measure:* The Uniform Code of Building Conservation shall be used to provide alternative building regulations for the rehabilitation, preservation, restoration (including related reconstruction), or relocation of buildings or structures listed on the Historic Resources Inventory, or which have reached 50 years of age.

*Implementation Measure:* During the short-term planning period, the County shall develop and adopt an ordinance establishing penalties for acts of vandalism of historic and archaeological resources on County lands.

*Implementation Measure:* The County shall implement the CEQA process to establish procedures for Native American review of proposed projects.

### NOISE

*Implementation Measure:* During the short-term planning period, the County shall enact a Noise Ordinance to be enforced by the Health Department. At a minimum, the ordinance shall include:

- Prohibition on the non-emergency use of truck “Jake Brakes” on roadways adjacent to residential uses and in planning areas;
- Noise control within new residential developments through project design;
- Prohibition on the use of noise barriers as mitigation when other alternatives are feasible;
- Requirements for a qualified acoustical consultant who shall conduct an acoustical analysis;
- A menu of appropriate requirements for reduction of noise exposure or standards for assessing noise impacts; and
- A menu that may include of one or more of the following techniques for noise control through site design:
  - Increasing the distance between the noise source and receiving use (setbacks).
  - Placing structures on a project site to shield other structures or areas, to remove them from noise-impacted areas, and to prevent an increase in noise levels caused by reflections.
  - Placement of outdoor activity areas on the opposite side of building facades from the noise source, or within the shielded portion of a building complex.
  - Placement of walls, berms or other barriers between the noise source and the receiver.
  - Locating bedrooms and other noise-sensitive rooms opposite from the noise source where interior noise levels are a primary concern.
  - Patios or balconies of apartment complexes or multifamily dwellings shall be placed on the side of a building opposite the noise source. “Wing walls” can also be added to buildings or patios. When such noise reduction measures are

impractical or infeasible, the County may decide not to apply the exterior noise level requirements at some or all of the patio or balcony areas if a central courtyard is provided as a primary outdoor activity area.

*Implementation Measure:* Construction equipment shall be equipped with proper muffler systems and shall be in good working order.

*Implementation Measure:* The County should implement noise performance standards (Table C-1) to ensure that new noise-sensitive land uses are not exposed to excessive noise from nearby non-transportation noise sources, and to ensure that new noise-generating land uses do not create noise levels exceeding adopted standards as measured from nearby noise sensitive land uses.

**Table C-1: Noise Performance Standards for Non-Transportation Noise Sources**

Noise Level Descriptor	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
Hourly $L_{eq}$ , dB	55	45

Notes:

- A. Each of the noise levels specified above shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises (e.g., humming sounds, outdoor speaker systems). These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings). The County can impose noise level standards that are more restrictive than those specified above based upon determination of existing low ambient noise levels. In rural areas where large lots exist, the exterior noise level standard may be applied at a point 100 feet away from the residence. Industrial, light industrial, commercial and public service facilities which have the potential for producing objectionable noise levels at nearby noise-sensitive uses are dispersed throughout the County. Fixed noise sources that are typically of concern include, but are not limited to the following: HVAC System, Cooling Towers/Evaporative Condensers, Pump Stations, Lift Stations, Emergency Generators, Boilers, Steam Valves, Steam Turbines, Generators, Fans, Air Compressors, Heavy Equipment, Conveyor Systems, Transformers, Pile Drivers, Grinders, Drill Rigs, Gas or Diesel Motors, Welders, Cutting Equipment, Outdoor Speakers, Blowers.
- B. The types of uses which may typically produce the noise sources described above include but are not limited to: industrial facilities including lumber mills, trucking operations, tire shops, auto maintenance shops, metal fabricating shops, shopping centers, drive-up windows, car washes, loading docks, public works projects, batch plants, bottling and canning plants, recycling centers, electric generating stations, race tracks, landfills, sand and gravel operations, and athletic fields.

*Implementation Measure:* New development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected levels of noise from transportation noise sources which exceed the levels specified in Table D-2 unless the project design includes effective mitigation measures to reduce exterior noise and noise levels in interior spaces to the levels specified Table C-2.

**Table C-2: Maximum Allowable Noise Exposure – Transportation Noise Sources**

Land Use	Outdoor Activity Areas, $L_{dn}$ /CNEL, dB	Interior Spaces	
		$L_{dn}$ /CNEL, dB	$L_{eq}$ , dB
Residential	60	45	--
Transient Lodging	60	45	--
Hospitals, Nursing Homes	60	45	--
Theaters, Auditoriums, Music Halls	--	--	35
Churches, Meeting Halls	60	--	40

## Attachment 2

Office Buildings	--	--	45
Schools, Libraries, Museums	--	--	45
Playgrounds, Neighborhood Parks	65	--	--

**Notes:**

- A. Where the location of outdoor activity areas is unknown, the exterior noise level standard shall be applied to the property line of the receiving land use. Where it is not practical to mitigate exterior noise levels at patio or balconies of apartment complexes, a common area such as a pool or recreation area may be designated as the outdoor activity area.
- B. As determined for a typical worst-case hour during periods of use.
- C. Where it is not possible to reduce noise in outdoor activity areas to 60 dB Ldn/CNEL or less using a practical application of the best-available noise reduction measures, an exterior noise level of up to 65 dB Ldn/CNEL may be allowed provided that available exterior noise level reduction measures have been implemented and interior noise levels are in compliance with this table. In the case of hotel/motel facilities or other transient lodging, outdoor activity areas such as pool areas may not be included in the project design. In these cases, only the interior noise level criterion will apply.

## SAFETY

*Policy:* New construction shall use fire-safe practices.

*Implementation Measure:* During the short-term planning period revise the County Subdivision code to incorporate comprehensive fire prevention and protection standards.

*Implementation Measure:* During the short-term planning period, adopt comprehensive site development review standards incorporating fire prevention and protection standards.

*Implementation Measure:* Require new construction to incorporate design and materials to increase fire resistance conforming to California fire-safe practices.

*Implementation Measure:* During the short-term planning period and each update of the General Plan, review and amend as necessary, the County building codes to incorporate design and construction materials consistent with Fire Safe practices.

*Implementation Measure:* No subdivision shall be presented to the Planning Commission without review and recommendations from the Fire Department.

*Implementation Measure:* Adopt and implement the most recent Uniform Fire Codes and supplements for project standards as revisions become available.

*Implementation Measure:* During the short-term planning period, the County shall enact an ordinance for fuel load management on private property, including provisions to require owners of undeveloped lands within the urban-wildland interface to manage fuel loads.

*Implementation Measure:* Cooperate with the California Department of Forestry and Fire Protection in implementing fuel reduction programs.

*Implementation Measure:* During the short-term planning period, and in cooperation with the California Department of Forestry and Fire Protection, create a Mariposa County Guidelines for the Implementation of Fire Safe Standards identified in 14 CCR §1270 et seq.

## Attachment 2

*Implementation Measure:* During the short-term planning period, adopt a comprehensive County Flood Protection Ordinance substantially meeting the requirements of the National Flood Insurance Program (NFIP) balanced with local needs. The ordinance shall include, at a minimum:

- Prohibition on the construction of any non-flood-proof habitable residential structures within in the designated floodway.
- Limit uses in the flood fringe to those that conform to requirements and objectives of FEMA and the National Flood Insurance Program (NFIP), unless appropriate mitigations are incorporated into site design and construction.
- Require any essential public facilities located in a flood hazard area to be designed to avoid inundation of structures or access by floodwaters.
- New construction in flood hazard areas shall have minimal obstruction to flood waters and no increases to flood depth or velocities in excess of levels within FEMA guidelines.
- Prohibit the location of potential pathogenic and toxic sources or hazardous facilities such as sanitary landfills, chemical storage, and petroleum storage facilities within flood hazard areas.

*Implementation Measure:* The revisions to Title 17, Mariposa County Code, Zoning shall include a flood overlay district in the County Zoning Ordinance based upon the FEMA flood hazard maps, including use regulations coordinated with the Flood Protection Ordinance.

*Implementation Measure:* Maintain enforcement of Mariposa County Code Title 15, Building, grading requirements.

*Implementation Measure:* All bridges, roads and fills shall be designed to preserve free natural drainage.

*Implementation Measure:* Continue enforcing the County grading code ensuring site preparation, road construction, and removal of vegetation standards.

*Implementation Measure:* Subdivisions in high-risk geologic hazard areas shall be reviewed as to possible risks.

*Implementation Measure:* Development of critical facilities such as hospitals, fire houses, schools, water, electrical or other utility services, etc. will be discouraged in areas identified as geologic hazard areas unless engineering studies indicate that risk can be minimized or eliminated through design and construction techniques.

*Implementation Measure:* Development of hazardous facilities or sources of potentially pathogenic or toxic substances, such as sanitary landfills, chemical storage facilities, and petroleum storage facilities, shall be prohibited in geologic hazard areas.

*Implementation Measure:* Amend Title 16 of the Mariposa County Code, Subdivisions, to require subdivisions adjoining fault lines to identify seismic risk

**MARIPOSA COUNTY RESOLUTION NO. 13-201**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF  
MARIPOSA APPROVING THE 2013 GENERAL PLAN ANNUAL REPORT AND  
ESTABLISHING A SCHEDULE OF DATES EXPECTED FOR PUBLIC HEARINGS TO  
CONSIDER 2013 AMENDMENTS TO THE MARIPOSA COUNTY GENERAL PLAN**

**WHEREAS**, the laws of the State of California require Mariposa County to adopt and maintain a General Plan to guide the long-term development of the County, pursuant to Government Code Section 65300 et seq.; and

**WHEREAS**, after six years of public workshops, policy drafts, plan revisions and final public hearings, the Board of Supervisors did adopt the Mariposa County General Plan on December 18, 2006; and

**WHEREAS**, State Government Code Section 65400(a)(2) requires that an annual report be prepared on the progress in the implementation of the General Plan, and the progress the County is making with regard to meeting its share of regional housing needs; and

**WHEREAS**, an Administrative Draft 2013 General Plan Annual Report was prepared in accordance with the requirements of the State law, and was made available for public review; and

**WHEREAS**, copies of the Administrative Draft of the Annual Report were distributed to all County Departments for review and comment with respect to their involvement in the implementation of the General Plan; and

**WHEREAS**, a duly noticed Planning Commission public hearing and workshop on the 2013 General Plan Annual Report was scheduled for the 19<sup>th</sup> day of April, 2013; and

**WHEREAS**, the Planning Commission did hold a public hearing and workshop on the noticed date and considered the information provided by County Departments and in the public record, including the 2013 General Plan Annual Report; and

**WHEREAS**, Planning Commission adopted Resolution 2013-006, recommending that the Board of Supervisors approve the 2013 General Plan Annual Report and forward it to State Agencies; and

**WHEREAS**, General Plan policy 4-3a establishes that General Plan amendments shall be scheduled on a regular basis every year; and

**WHEREAS**, Implementation Measure 4-3a (1) and State law limit the times at which the adopted General Plan can be amended to no more than 4 times per year; and

### Attachment 3

**WHEREAS**, Implementation Measure 4-3a (2) provides that one of the four General Plan Amendment hearings shall be held for the use of the Board of Supervisors to adopt updates and modifications to the General Plan that are generated during the Annual Review; and

**WHEREAS**, the Planning Commission has reviewed this schedule and the Annual Report and recommended approval of the Schedule for General Plan Amendments on April 19, 2013; and

**WHEREAS**, actual meeting dates in the Schedule of 2013 General Plan Amendments (Exhibit A) are approximated, and advisory, and will be finally established as public hearing dates are officially noticed and advertised; and

**WHEREAS**, it is in the public interest to have an adopted schedule of expected hearing dates to inform applicants, staff, advisory bodies and the public of the times at which they may expect to see changes considered to General Plan policies, and use diagrams or Area Plans.

**NOW THEREFORE BE IT RESOLVED THAT** the Board of Supervisors hereby adopts this Resolution accepting the 2013 General Plan Annual Report, and the Schedule included in Exhibit A as the schedule of dates expected to consider Mariposa County General Plan Amendments in 2013.

**BE IT FURTHER RESOLVED THAT** the Board of Supervisors hereby directs the Planning Director to file the 2013 General Plan Annual Report to the Department of Housing and Community Development and the State Office of Planning and Research.

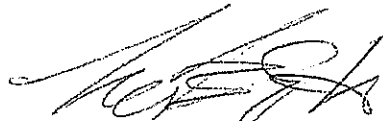
**ON MOTION BY** Supervisor Jones, seconded by Supervisor Carrier; this resolution is duly passed and adopted this 21st day of May, 2013 by the following vote:

**AYES:** STETSON, JONES, BIBBY, CARRIER

**NOES:** NONE

**ABSENT:** CANN

**ABSTAIN:** NONE

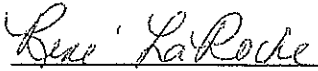


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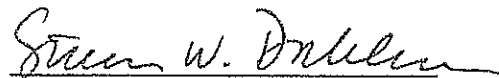
Lee Stetson, Chairman  
Mariposa County Board of Supervisors

Attachment 3

ATTEST:

  
\_\_\_\_\_  
René LaRoche  
Clerk of the Board of Supervisors

APPROVED AS TO LEGAL FORM:

  
\_\_\_\_\_  
Steven W. Dahlem  
County Counsel





**EXHIBIT A****Schedule of 2013 General Plan Amendments**

	<b>Applications</b>	<b>Application Deadline</b>	<b>Planning Commission Public Hearing</b>	<b>Board of Supervisors Public Hearing</b>
	Review of 2013 Annual Report	n/a	April 19, 2013 <u>Workshop</u>	May 21, 2013 <u>Workshop</u>
One - (private or public)	Public or Private Applications completed by March 29, 2013	March 29	July 26*	August 27 *
Two - (private or public)	Other applications submitted and completed by May 24, 2013	May 24	September 20*	November 12*
Three - (private or public)	Other applications submitted and completed by June 21, 2013	June 21	October 18*	November 19*
Four - (private or public)	Other applications submitted and completed by July 19, 2013	July 19*	November 15*	December 17*

\*Public hearing dates are not definite until they have been noticed and advertised.



## (CCR Title 25 §6202 )

Mariposa County

Table A

(11) Total Extremely Low-Income Units\*

\* Note: These fields are voluntary

# ANNUAL ELEMENT PROGRESS REPORT

## Housing Element Implementation

(CCR Title 25 §6202 )

Jurisdiction Mariposa County  
Reporting Period 1-Jan-11 - 31-Dec-11

Table A2  
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program it its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c )(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity	0	0	0	0	
(2) Preservation of Units At-Risk	0	0	0	0	
(3) Acquisition of Units	0	0	0	0	
(5) Total Units by Income	0	0	0	0	

\* Note: This field is voluntary

Table A3  
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate	18	4			14	36	
No. of Units Permitted for Above Moderate	9					9	

\* Note: This field is voluntary

# ANNUAL ELEMENT PROGRESS REPORT

## Housing Element Implementation

(CCR Title 25 §6202 )

Jurisdiction Mariposa County  
Reporting Period 1-Jan-11 - 31-Dec-11

Table B

### Regional Housing Needs Allocation Progress

#### Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2010	2011	2012																Total Units to Date (all years)	Total Remaining RHNA by Income Level	
Income Level		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9												
Very Low	Deed																				132	
	Restricted Non-deed restricted																					
Low	Deed																				180	
	Restricted Non-deed restricted																					
Moderate	Deed																				75	
	Restricted Non-deed restricted	41	33	36															110			
Above Moderate																						
Total RHNA by COG. Enter allocation number:		41	33	36															110		387	
Total Units																						
Remaining Need for RHNA Period																						

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

**ANNUAL ELEMENT PROGRESS REPORT**  
***Housing Element Implementation***  
(CCR Title 25 §6202 )

Jurisdiction	Mariposa County
Reporting Period	1-Jan-11 - 31-Dec-11

**Table C**  
**Program Implementation Status**

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Sec. 65583		
	Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
1.1 Annual review of permit procedures	Reduce the cost and time of processing housing development	Annual	Review is in process
1.2 Unnecessary requirements for construction of housing	Reduce the cost of housing construction, reducing housing costs and making it more affordable	Annual	The County has not imposed any such requirements. The County is fighting efforts for unnecessary costs recently imposed in the California Code of Regulations Title 24, such as residential sprinkler requirements.
1.3 Collaboration with National Park Service (NPS), concessionaire and lodging industry	Resolve housing issues for NPS and lodging industry employees	On-Going	The County is aware of the NPS and the lodging industry need to resolve housing for their employees. The County continues to support the collaborative effort with the NPS and YARTS for transit to Yosemite Valley for employees.
2.1 County's continued support of the Mariposa County Housing and Community Actions Program (HCAP)	Seek funding and development opportunities for lower income housing	On-Going	The County continues to fund and support HCAP.
2.2 County to support and promote opportunities for agencies applying for housing funds.	Provide opportunities for low to moderate income housing	On-Going	The County has made information available to the public on sites for low to moderate income housing. While developers have contacted the County on sites and density bonus incentives, there have been no actions by private industry.
2.3 Density Bonus for Low Income Multi-family Units	Provide incentives to develop low income housing	On-Going	The County is preparing a Resolution of Intention to modify Title 17, Zoning, to comply with the density bonus calculations and incentives provided by State law.

Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
2.4 Second Units	Incentive to provide low to moderate income housing	On-Going	The County has not made any changes, and with the exception of the Wawona Town Planning Area, second units are permitted County-wide.
2.5 Permit Manufactured Homes in all single-family lots	Provide opportunities for low to moderate income housing	On-Going	The County continues to allow manufactured homes on all single-family residential lots
2.6 County's active support of homeownership programs administered by the HCAP	Provide opportunities for home ownership by low income households	On-Going	The County utilizes Community Development Block Grant (CDBG) funds for HCAP actions to provide opportunities for home ownership by low-income families.
3.1 County zoning ordinance, general plan or specific plan updates shall ensure that enough land is set aside for all types of residential development including mixed-use development provisions.	Provide housing opportunities for varied income levels	On-Going	The County has adopted an updated Wawona Town Specific Plan and a Community Plan for the Catheys Valley Community Planning Area. These plans provide adequate area for varied residential uses.
3.2 Planning Department will identify vacant land that is residentially zoned or has residential potential and is or can be served with water or sewer service.	Identify property that could be developed for low to moderate income households	On-Going	The Planning Department has prepared this information for the Mariposa, Coulterville, Wawona and Fish Camp Town Planning Areas (TPA). The County is now updating this information for the Catheys Valley Planning Area. As other community plans are prepared, this vacant land information will be provided.
3.3 Assist special districts to expand and improve water and sewer service	Provide opportunities for low income housing	On-Going	The County, through the County Water Agency, continues to provide funding for: <ul style="list-style-type: none"> <li>• Feasibility and planning studies;</li> <li>• Low cost loans for improving water and wastewater capabilities;</li> <li>• Funding of infrastructure improvements;</li> <li>• Assistance in grant preparation and support;</li> <li>• Actions to protect water resources,</li> <li>• Actions to protect water allocations</li> </ul>



Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
3.4 County updates to its Geographical Information System (GIS) to include land suitable for residential development for land beyond the Mariposa, Fish Camp, and Wawona Town Planning Areas	Provide information to housing developers as to land available for residential development	On-Going	The County has a permanent staff member who is working on land use data and GIS mapping for the Catheys Valley and Midpines Community Planning Areas.
4.1 County shall apply for state and federal assistance for housing rehabilitation in the County	Improve housing conditions	On-Going	The County has pursued such funds without success to date. Assistance programs are being evaluated and HS staff will continue their efforts.
4.2 Update Housing Condition Survey	Improve housing conditions	2012	Staffing limitations have prevented the start of this survey.
4.3 Encourage voluntary code compliance	Improve housing conditions	On-Going	The County Building Department staff continues to provide guidance and technical assistance to property owners making their own repairs.
4.4 Continue to enforce the Housing, Electrical, Fire Prevention Codes and the Health and Safety Regulations	Maintain and improve housing conditions	On-Going	The County has continued these efforts
4.5 Collaborate with the National Park Service and its concessionaires to obtain long-term ground lease status enabling homeowner loans for remodeling, rehabilitation, or replacement for areas of housing within Old El Portal	Provide housing opportunities in El Portal and improve housing conditions as needed	On-Going	The NPS has completed a Draft of the Merced River Management Plan, which is currently under public review. Until this Plan is completed, the NPS cannot work on this Program.
5.1 Mariposa County HCAP shall meet with other County Departments to determine special housing needs	Identify special housing needs	On-Going	HCAP has continued this effort

Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
5.2 County will encourage nonprofit, for-profit organizations, and individuals to include within their projects, housing units for special needs groups by providing assistance in accessing state and federal funds for special needs housing and supportive services.	Provide housing for special needs groups	On-Going	The County has not been approached by any organization planning for housing projects. The County has developed information on available land that would accommodate such projects.
5.3 County will encourage, support and assist nonprofit, for-profit organizations, and individuals to apply for funds from available State and federal programs to provide special need type housing.	Provide housing for special needs groups	On-Going	The County has not been approached by any organization for special needs housing projects. The County has developed information on available land that would accommodate such projects.
5.4 County will encourage the construction of housing for senior citizens near areas where a full range of governmental, commercial and medical facilities exist	Provide senior housing in relationship to needs	On-Going	The County has approved the Mariposa Town Plan which provides opportunities for senior housing within close proximity to governmental, commercial and medical services.
5.5 County shall encourage nonprofit, for-profit organizations, and individuals to provide child day care facilities in appropriate areas of the County	Increase child care opportunities	On-Going	The County allows child care facilities, for 8 or fewer children, as a permitted residential use throughout the County.
5.6 County shall collaborate with the National Park Service (NPS) and other agencies as a means of coordinating efforts to solve common housing problems.	Create housing opportunities for all income levels	On-Going	The County and the NPS are working as part of the development in TPAs and in the development of the Merced River Plan.

Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
6.1 County will offer home weatherization programs and support other agencies efforts in this area by providing information to the public and referrals on weatherization assistance programs.	Improved energy efficiency of housing and reduce housing costs	On-Going	Weatherization services are available at no cost to eligible applicants to improve the energy efficiency of homes. Energy saving services include measures such as attic insulation, caulking, water heater blanket, heating/cooling system repair, and other conservation measures
6.2 County shall encourage passive solar design in new residential construction to assist homeowners with reducing energy usage and costs	Reduce energy costs	On-Going	The County continues to encourage passive solar designs and assist home owners who want to include passive solar in their designs.
6.3 Greenhouse Gas Emissions	Reduce air pollution	On-Going	The County is in the process of preparing appropriate responses and processes to the greenhouse gas emissions mandated by State law. (AB 32)
7.1 County shall continue to support economic diversification to higher wage employment to increase homeownership opportunities	Increase home ownership opportunities	On-Going	The County continues to provide assistance by way of transient occupancy tax, USDA Rural Community Development, USDA Rural Housing Services (community facilities programs), CDBG, U. S. EDA for such programs.
7.2 County shall seek funding from state and federal sources to provide funding for first-time homebuyer assistance	Increase home ownership opportunities	On-Going	The Mariposa County Human Services Department has continued to seek funds for first time home buyers.
8.1 County shall continue to apply for emergency housing funds available from the Department of Housing and Community Development.	Provide emergency housing		The County has applied for and received emergency housing funds.
8.2 Revise the zoning ordinance to define and clearly outline regulations governing emergency shelters	Provide emergency shelter	On-Going	The County has adopted zoning regulations for emergency shelters as being permitted by right in the General Commercial zone of the Mariposa TPA.

Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
8.3 Revise the zoning ordinance to define and clearly outline regulations for uses providing transitional and supportive housing	Ensure that transitional and supportive housing is permitted as a residential use	2012	The County has amended Title 17, Zoning, to permit transitional and supportive housing as a residential use permitted by right. The zoning amendments do not require a discretionary approval process for transitional and supportive housing.
8.4 Adopt, as necessary, amendments to the zoning ordinance to clarify definitions of residential and institutional uses related to the Single Room Occupancy housing.	Provide housing for very-low income persons	2012-2013	The County has researched and analyzed SRO needs in anticipation of a Resolution Of Intention to amend Title 17, Zoning.
8.5 The County will adopt a written reasonable accommodation ordinance to provide minor exceptions to zoning and land use for housing for persons with disabilities that will allow for expedited processing and approval of such housing.	Reduce housing costs for housing for disabled individuals	2012-2013	The County has adopted a comprehensive set of standards covering almost all important areas of accessibility for persons with physical and sensory disabilities as found in Title 24 of the California Building Standards Code. The County has made reasonable accommodation as part of the flexibility available to the Chief Building Inspector in Mariposa County. Planning and Building staff are considering adoption of a reasonable accommodation ordinance so that current policy will be reflected in code.
8.6 Adopt amendments to the zoning ordinance to allow 24-hour community care facilities for seven or more persons with disabilities.	Provide greater housing opportunities for persons with disabilities.	2011	The County has adopted amendments to amend Title 17, Zoning, to permit large community care facilities, for seven or more persons, in the Multi-Family zone of the Mariposa Town Planning Area.
8.7 Housing discrimination and fair housing laws	Prevent discrimination in the housing market	On-Going	The County continues to maintain and promulgate information on fair housing laws in public offices, including the Building Department, the Planning Department, the Human Services Department and the County library.

# Attachment 5

## Planning Commission Resolution 2013-006

### STATE OF CALIFORNIA COUNTY OF MARIPOSA PLANNING COMMISSION

Resolution

No 2013-006

A resolution recommending approval of the 2013 General Plan Annual Report, Application No. 2013-006

---

WHEREAS, the laws of the State of California require Mariposa County to adopt and maintain a General Plan to guide the long-term development of the County, pursuant to Government Code Section 65300 et seq.; and

WHEREAS, State Government Code Section 65400(a)(2) requires that an annual report be prepared on the progress in the implementation of the General Plan, and the progress the County is making with regard to meeting its share of regional housing needs; and

WHEREAS, a draft 2013 General Plan Annual Report was prepared in accordance with the requirements of the State law, and was made available for public review; and

WHEREAS, copies of the Administrative Draft of the Annual Report were distributed to all Departments for review and comment with respect to their involvement in the implementation of the General Plan; and

WHEREAS, a duly noticed Planning Commission public hearing and workshop on the 2013 General Plan Annual Report was scheduled for the 19<sup>th</sup> day of April, 2013; and

WHEREAS, the Planning Commission did hold a public hearing and workshop on the noticed date and considered the information provided by County Departments and in the public record, including the 2013 General Plan Annual Report.

NOW THEREFORE, BE IT RESOLVED THAT, the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors approve the 2013 General Plan Annual Report and forward it to the State Department of Housing and Community Development and the State Office of Planning and Research.

ON MOTION BY Commissioner Rudzik, seconded by Commissioner Harter, this resolution is duly passed and adopted on the 19<sup>th</sup> day of April, 2013 by the following vote:

AYES: Harter, Harris, Marsden, Becker, Rudzik

# Attachment 5

## Planning Commission Resolution 2013-006

Resolution 2013-005

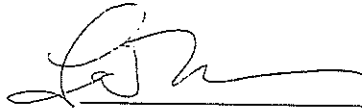
2013 General Plan Annual Report, Application No. 2013-005  
April 19, 2013 • page 2 of 2

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NOES: None

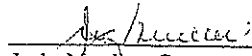
EXCUSED: None

ABSTAIN: None



Les Marsden, Chair  
Mariposa County Planning Commission

Attest:



Judy Mueller, Secretary to the  
Mariposa County Planning Commission

# Attachment 6

Excerpt from the April 19, 2013 Planning Commission Meeting

## MARIPOSA COUNTY PLANNING COMMISSION DRAFT MINUTES OF APRIL 19, 2013 Regular Meeting

Meeting Called to order at 9:00 a.m.

Commissioners Present: Les Marsden, Bob Rudzik, Larry Harris, Mark Becker, Donn Harter

**NOTE: The following is an except of the Draft Minutes from the April 19, 2013 Planning Commission Hearing relative to the 2013 General Plan Annual Report. The complete approved minutes are available on the Planning Department Web Site.**

### **2 A. 2013 General Plan Annual Report, File No. 2013-005, County of Mariposa**

Larry Enrico presented the 2013 General Plan Annual Report. He said that state law requires a review of the General Plan each year and went over the amendments to the General Plan that occurred in 2012.

Enrico concluded that staff recommends the Planning Commission recommends approval to the Board of Supervisors.

#### ***Clarifications:***

Williams said that several of the department heads are in attendance and it is important to have discussions with the other departments as the General Plan is not just Planning's Document it is the County's Document.

A discussion took place regarding the various elements that took place in 2012.

Marsden suggested that holding the Annual Review of the General Plan in a workshop form would be a good idea.

#### ***Public Portion of the Hearing: Opened.***

Peter Rei, Public Works Director, said that he would be happy to answer any questions that the Commission has regarding Public Works. He added that Public Works is reviewing the road standards and they are working with Planning to create one document with one set of rules.

Rudzik asked how the rural character of Mariposa can be maintained with all of the solar panels that are being installed in very visible areas.

A discussion took place regarding solar panels.

# Attachment 6

Excerpt from the April 19, 2013 Planning Commission Meeting

Rei said that he agrees with Marsden and would like to have a workshop for the public to discuss the General Plan and to include the use of solar panels.

Supervisor Carrier said that solar farms are under the control of the California Public Utilities Commission so the County's hands may be tied.

Jim Wilson, County Fire Chief, spoke about the new fire stations and the Local Hazard Mitigation Plan.

Cara Goger, Arts Council, said that she would like to see the creation of the Cultural and Arts Commission to be considered in the near future.

Williams said that there are many items that are in line for implementation in future considerations and direction can be given to move any item up on the priority list.

A discussion took place regarding pervious pavement.

Meg Keoppen spoke about the future of Mariposa and encouraged looking at new ways to incorporate the flavor of the old and broaden vision of the future.

***Public Portion of the Hearing: Closed.***

***Break: 10:25am***

***Reconvened: 10:40 am***

***Deliberations:***

Marsden again stated his suggestion that the Annual Review should be a workshop for the Public as it is important for those who are invested in the future of the County to have an opportunity to be heard.

Williams said that the Annual Review is a discussion of the previous year's accomplishments and is not a static document.

Williams then handed out a two page summary of the State's adopted government code which limits local jurisdictions ability to regulate solar installations.

On motion of Commissioner Rudzik, seconded by Commissioner Harter, the Planning Commission adopted a Resolution recommending that the Board of Supervisors approve the 2013 General Plan Annual Report, Application No. 2013-005 and forward it to the State Department of Housing and Community Development and the State Office of Planning and Research.

Motion carried by the following vote:

AYES:	5 (Marsden, Rudzik, Becker, Harris, Harter)
NOES:	0